



07-11-05

Patent / Docket No. 23100.64
Customer No. 000027683

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McAnalley et al.

Serial No. 10/797,344

§ Group Art Unit: 1654

Filed: March 10, 2004

§ Examiner: Michele Flood

For: COMPOSITIONS OF PLANT
CARBOHYDRATES AS
DIETARY SUPPLEMENTS

§ Confirmation No.: 4291

TRANSMITTAL

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

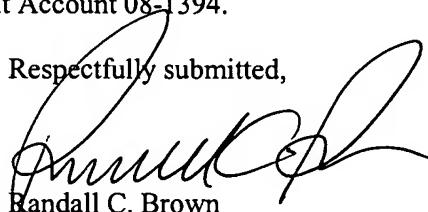
Sir:

Enclosed are the following regarding the above-identified patent application:

1. Response to Office Action;
2. Second Supplemental Information Disclosure Statement; modified Form PTO-1449, and references; and
3. return postcard.

The Commissioner is hereby authorized to charge the \$180.00 fee set forth in 37 CFR §1.17(p) for submission of an Information Disclosure Statement under §1.97(c).and any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

Respectfully submitted,


Randall C. Brown

Registration No. 31,213

Date: July 8, 2005
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 214-651-5242
Facsimile: 214-200-0853
File: 23100.64

EXPRESS MAIL NO.: <u>EV 36967555805</u>	
DATE OF DEPOSIT: <u>7/8/2005</u>	
This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
<u>Ellen Lovelace</u> Name of person mailing paper and fee	
<u>John J. Jordan</u> Signature of person mailing paper and fee	



Attorney/Docket No. 23100.64
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

Submitted with this Second Supplemental Information Disclosure Statement is a “machine translation” obtained from Reedfax, Inc. of Japanese Patent Application No. JP 1995113001A, which is the Japanese priority application which corresponds to International Publication No. WO 9506068A1 to Yamada et al. (“Yamada ’068”). Yamada ’068 was cited in an Information Disclosure Statement filed on July 8, 2004. Inasmuch as the translation of Japanese Patent Application No. JP 1995113001A was prepared by machine, Applicants do not represent that the translation is complete or accurate, but provide the same “as is” in furtherance of Applicant’s duty of disclosure under 37 CFR § 1.56.

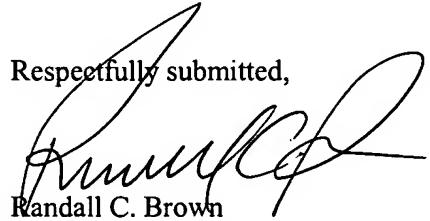
This Information Disclosure Statement is being filed more than three months after the United States filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action under §1.113 or Notice of Allowance under §1.311 (37 CFR §1.97(c)).

The Commissioner is hereby authorized to charge the \$180.00 fee set forth in 37 CFR §1.17(p) for submission of an Information Disclosure Statement under §1.97(c) and any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

07/14/2005 WABDELRI 00000097 081394 10797344
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It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,


Randall C. Brown

Registration No. 31,213

Date: July 8, 2005
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 214-651-5242
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EXPRESS MAIL NO.: EV 369675558 US

DATE OF DEPOSIT: 7/8/2005

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Ellen Lovelace

Name of person mailing paper and fee

Wm Justen

Signature of person mailing paper and fee

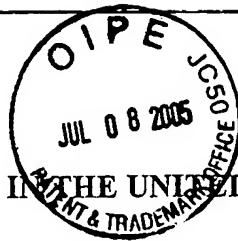
<p>In place of PTO-1449 Form JUL 08 2005</p> <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)</p>				Complete if Known	
				Application Number	10/797,344
				Filing Date	March 10, 2004
				Applicant(s)	McAnalley et al.
				Art Unit	1654
				Examiner Name	Unknown
SHEET	1	of	1	Attorney Docket Number	23100.64

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
		JP1995113001A	5/2/1995		Yes

OTHER PRIOR ART		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
		Beran, K. et al. Ceskoslov. mikrobiol. (1956), 1: 193-203. Saccharification of starch in potato mash with fungus amylolytic preparations.
		Kato, T. et al., Jozo Kyokai Zasshi (1964), 59(5): 431-4. Soybean hull. II. Hydrolyzate of soybean hull prepared by using cellulose. Abstract.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



Attorney/Docket No. 23100.64
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
McAnalley et al.

§ Group Art Unit: 1654

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§ Examiner: N/A

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

This Information Disclosure Statement is being filed within three months of the United States filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required (37 CFR §1.97(b)).

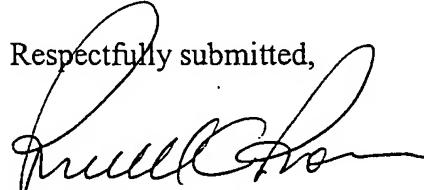
The information contained in this Information Disclosure Statement was sent to Applicant's undersigned representative on June 8, 2004 by Jonathan A. Bay. Enclosed is a copy of Mr. Bay's letter in this regard.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.



It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,



Randall C. Brown

Registration No. 31,213

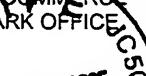
Date: July 6, 2004
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
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Telephone: 214-651-5242
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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on 7/6/2004.

Ellen Lovelace
Printed Name

Ellen Lovelace
Signature

In place of PTO-1449 Form	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Complete if Known
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		
		
SHEET	1	of
SHEET	3	of
		Attorney Docket Number
		23100.64

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume, issue number(s), publisher, city/country where published
		Aloe Vera Research –Author unknown, Date of publication, if any, unknown.
		Alton, G et al., Direct utilization of mannose for mammalian glycoprotein biosynthesis, Glycobiology, vol. 8, no. 3, 1998, pages 285-295.
		Bond, A et al., Distinct Oligosaccharide Content of Rheumatoid Arthritis-Derived Immune Complexes, Arthritis & Rheumatism, Vol. 38, No. 6, 1995, pages 744-749.
		Bond, A et al., The relationship between exposed galactose and N-acetylglucosamine residues on IgG in rheumatoid arthritis (RA), juvenile chronic arthritis (JCA) and Sjögren's syndrome (SS) Clin exp Immunol (1996); Vol. 105, pages 99-103.
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		Chinnah, A et al., Antigen dependent adjuvant activity of a polydispersed β -(1,4)-linked acetylated mannan (acemannan), Vaccine, Vol. 10, No. 8, 1992, Pages 551-557.
		Clamp, J R et al., Study of the Carbohydrate Content of Mucus Glycoproteins from Normal and Diseased Colons, Clinical Science, Vol. 61 (1981), pages 229-234.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

In place of PTO-1449 Form	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/797,344	
SHEET	2	of	3	Filing Date	March 10, 2004
				Applicant(s)	McAnalley et al.
				Art Unit	1654
				Examiner Name	Unknown
				Attorney Docket Number	23100.64

OTHER PRIOR ART

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume, issue number(s), publisher, city/country where published
		Cuddihy, J et al., The Presence of Total Polysaccharides in Sugar Production and Methods for Reducing Their Negative Effects, Midland Research Laboratories, Inc.; date of publication, if any, unknown.
		Davis, R, Polysaccharide: The Magic Bullet, Inside Aloe
		Djeraba, A et al., In vivo macrophage activation in chickens with Acemannan, a complex carbohydrate extracted from Aloe vera, International Journal of Immunopharmacology, Vol. 22 (2000), pages 365-372.
		Dwek, R A, Glycobiology: The function of sugar in the IgG molecule, Anat, Vol. 187 (1995), pages 279-292.
		Edwards, C A et al., Viscosity of food gums determined in vitro related to their hypoglycemic actions, Am J Clin Nutr Vol. 46 (1987), pages 72-77.
		Ercan, N, Effects of Glucose, Galactose, and Lactose Ingestion on the Plasma Glucose and Insulin Response in Persons With Non-Insulin-Dependent Diabetes Mellitus, Metabolism, Vol. 42, No. 12 (1993), pages 1560-1567.
		Feizi, T, Significance of carbohydrate components of cell surfaces, Autoimmunity and autoimmune disease, Wiley, Chichester (Ciba Foundation Symposium 129); (1987), pages 43-58.
		Fukuda, M et al., Molecular Glycobiology, Oxford University Press, pages 1-52.
		Ghoneum, M, Anti-HIV Activity in Vitro of MGN-3, an Activated Arabinoxylane from Rice Bran, Biochemical and Biophysical Research Communications, Vol. 243 (1998), pages 25-29.
		Hakomori, S, Aberrant Glycosylation in Cancer Cell Membranes as Focused on Glycolipids: Overview and Perspectives, Cancer Research, Vol. 45 (1985), pages 2405-2414.
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		Kahlon, J et al., Inhibition of AIDS virus replication by Acemannan in vitro, Mol. Biother., Vol. 3 (1991), pages 127-135.
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		Knopp, R et al., Long-Term Blood Cholesterol-Lowering Effects of a Dietary Fiber Supplement, Am J Prev Med, Vol. 17, No. 1 (1999), pages 18-23.
		Landin, K et al., Low blood pressure and blood glucose levels in Alzheimer's disease Evidence for a hypometabolic disorder? J Intern Med, Vol 233 (1993), pages 357-363.
		Leclerc, C et al., Role of viscous guar gums in lowering the glycemic response after a solid meal, Am J Clin Nutr, Vol. 59 (1994), pages 914-21.
		Malhotra, R et al., Glycosylation changes of IgG associated with rheumatoid arthritis can activate complement via mannose-binding protein, Nature Medicine, Vol. 1, No. 3 (1995), pages 237-243.
		Matsuda, K et al., Inhibitory Effects of Sialic Acid- or N-Acetylglucosamine-Specific Lectins on Histamine Release Induced by Compound 48/80, Bradykinin and a Polyethylenimine in Rat Peritoneal Mast Cells, J. Pharmacol, Vol. 64 (1994) pages 1-8.
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		Overton, P D et al., The effects of dietary sugar-beet fibre and guar gum on lipid metabolism in Wistar rats, British Journal of Nutrition, Vol. 72 (1994), pages 385-395.
		Pelley, R, The Story of Aloe Polysaccharides, Inside Aloe, The International Aloe Science Council, Inc., Jan. 1997.

Examiner Signature	Date Considered
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In place of	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Complete if Known
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Form				Application Number	10/797,344
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Filing Date	March 10, 2004
				Applicant(s)	McAnalley et al.
				Art Unit	1654
				Examiner Name	Unknown
SHEET	3	of	3	Attorney Docket Number	23100.64

OTHER PRIOR ART					
Examiner's Initials	Cite No.	Include name of the author(s) (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume, issue number(s), publisher, city/country where published.			
		Peng, S Y et al., Decreased mortality of Norman Murine Sarcoma in mice treated with the immunomodulator, Acemannan™, Mol. Biother, Vol. 3 (1991), Pages 79-87.			
		Petersen, M et al., Early Manifestation of the Carbohydrate-Deficient Glycoprotein Syndrome, J Pediatr, Vol. 122 (1993), pages 66-70.			
		Pugh, N et al., Characterization of Aloeride, a New High-Molecular-Weight Polysaccharide from Aloe Vera with Potent Immunostimulatory Activity, J Agnc Food Chem, Vol. 49 (2001), pages 1030-1034.			
		Qiu, Z et al., Modified Aloe barbadensis Polysaccharide with Immunoregulatory Activity, Planta Medica, Vol. 66 (2000), pages 152-156.			
		Ramelow, G et al., Uptake of metallic ions from aqueous solution by dried lichen biomass, Microbios, Vol. 66 (1991), pages 95-105.			
		Rest, R et al., Mannose Inhibits the Human Neutrophil Oxidative Burst, Journal of Leukocyte Biology, Vol. 43 (1988), pages 158-164.			
		Ryan, D et al., GG167 (4-Guanidino-2,4-Dideoxy-2,3-Dehydro-N-Acetylneurameric Acid) Is a Potent Inhibitor of Influenza Virus in Ferrets, Antimicrobial Agents and Chemotherapy (1995), pages 2583-2584.			
		Sampaio, A et al., A Galactose-Specific Lectin from the Red Marine Alga Ptilota Filicina, Phytochemistry, Vol. 48, No. 5 (1998), pages 765-769.			
		Sanchez, A et al., Role of sugars in human neutrophilic phagocytosis, Am J Clin Nutr, Vol. 26 (1973), pages 1180-1184.			
		Scott, J., Extracellular matrix, supramolecular organisation and shape, J Anat, vol. 187 (1995), pages 259-269.			
		Fucoidan Research - Author unknown, Date of publication, if any, unknown.			
		Stone, K R, Glucosamine References, Arthritis & Glucosamine Resource Center (2004), pages 1-10.			
		Teas, J., The Dietary Intake of Laminaria, a Brown Seaweed, and Breast Cancer Prevention, Nutrition and Cancer, Vol. 4, No. 3 (1983), pages 217-222.			
		Theodosakis, J et al., The Arthritis Cure, St. Martin's Press, NY, pages 29-52; date of publication unknown.			
		Tizard, I., Aloe-derived carbohydrates reduce inflammation by blocking neutrophil emigration mediated by certain beta2 integrins, Abstract for presentation at IASC Scientific Seminar, Texas A&M University, College Station, Texas; date of publication unknown.			
		Tizard, I et al., The biological activities of mannans and related complex carbohydrates, Mol. Biother, Vol. 1, No. 6 (1989), pages 290-296.			
		Varki, A., Unusual modifications and variations of vertebrate oligosaccharides: are we missing the flowers for the trees? Glycobiology, Vol. 6, No. 7 (1996), pages 707-710.			
		Vlietinck, A J et al., Plant-Derived Leading Compounds for Chemotherapy of Human Immunodeficiency Virus (HIV) Infection, Planta Medica, Vol. 64 (1998), pages 97-109.			
		Womble, D et al., Enhancement of Allo-Responsiveness of Human Lymphocytes by Acemannan (CARRISYN™), Int. J. Immunopharmac., Vol. 10, No. 8 (1988), pages 967-974.			
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		Zavoral, J et al., "The hypolipidemic effect of locust bean gum food products in familial hypercholesterolemic adults and children, Am J Clin Nutr, Vol. 38 (1983), pages 285-294.			
		About Konnyaku, Author unknown, Date of publication, if any, unknown.			
		What's Glucomannan, Author unknown, Date of publication, if any, unknown.			

Examiner Signature	Date Considered
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DESCRIPTION OF PAPER:		Transmittal; Executed Power of Attorney; Statement Under 37 CFR 3.73(b); Preliminary Amendment; Information Disclosure Statement, and modified Form PTO-1449; Supplemental Information Disclosure Statement, modified Form PTO-1449 and cited references; and return postcard were received in the U.S. Patent and Trademark Office on the date stamped hereon.	
RECEIVED JUL 10 2004			
HAYNES & BOONE LLP.			
APPLICANT	McAnalley et al.		
SERIAL NO.	10/797,344	DATE FILED	March 10, 2004
ATTORNEY DOCKET NO.	23100.64		
TITLE	Compositions of Plant Carbohydrates as Dietary Supplemental		
SENDER'S INITIALS	RCB/el	DATE MAILED	7/10/2004

